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 PROJECT MANAGEMENT HUMANITARIAN
 FOUNDATION

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

NEW AMSTERDAM PROJECT
 MANAGEMENT HUMANITARIAN
 FOUNDATION, a Dutch non-profit
 corporation

Plaintiff,

v.

KELLY M. LAUGHRIN, CAMPBELL,
 WARBURTON, FITZSIMMONS,
 SMITH, MENDELL & PASTORE a
 California corporation; and
 DOES 1 through 25,

Defendants.

CASE NO.: C07-00935 HRL

**STIPULATION AND PROPOSED
 ORDER CLARIFYING CIVIL
 MINUTE ORDER REFERRING
 PARTIES TO SETTLEMENT
 CONFERENCE BEFORE
 MAGISTRATE JUDGE LLOYD**

Plaintiff New Amsterdam Project Management Humanitarian Foundation
 ("NAF") and Defendants Kelly Laughrin and Campbell Warburton, Fitzsimmons,
 Smith Mendell & Pastore ("Defendants"), by and through their respective attorneys of
 record, hereby stipulate and agree with reference to the following facts:

A case management conference was held on August 31, 2007 before the
 Honorable Jeremy Fogel. The parties were ordered to contact Magistrate Judge
 Howard Lloyd's office regarding setting up an early settlement conference.

1 A further case management conference was held on October 12, 2007 before
2 the Honorable Jeremy Fogel. At the further case management conference, the parties
3 advised the Court that (1) settlement discussions would be futile without first
4 obtaining documents from the defendants and taking the deposition of Kelly Laughrin;
5 and (2) because the defendants are attorneys, certain discovery disputes pertaining to,
6 among other things, claims of privilege, required resolution in order for there to be
7 meaningful discovery. Accordingly, the Court continued the case management
8 conference to February 8, 2008, so that motions could be heard by Magistrate Judge
9 Lloyd prior to setting up an early settlement conference.

10 On October 12, 2007 the Court issued Civil Minutes indicating that the "parties
11 are referred to court mediation." The Civil Minutes further reflect that the matter was
12 "re-referred to Magistrate Judge Howard R. Lloyd for settlement conference."

13 On October 24, 2007, an ADR Phone Conference was conducted by Howard A.
14 Herman, wherein Mr. Herman questioned the parties as to whether they had been
15 referred to mediation or to a settlement conference with Magistrate Judge Lloyd. The
16 parties clarified that the parties had agreed to a settlement conference after resolution
17 of discovery disputes and conducting discovery. Mr. Herman stated that a stipulation
18 and proposed order would be necessary to clarify the Court's October 12, 2007 minute
19 order, which referred to both mediation and settlement conference.

20 THEREFORE,

21 IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the
22 Court, that the Civil Minutes dated October 12, 2007 be clarified by striking the
23 reference to mediation.

1 DATED: October 26, 2007

DEMPSEY & JOHNSON P.C.

2
3 By: 

HEATHER M. NOELTE

Attorneys for Plaintiff

NEW AMSTERDAM PROJECT
MANAGEMENT HUMNAITARIAN
PROJECT

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8 DATED: October 30, 2007

ROPER, MAJESKI, KOHN & BENTLEY

9
10 By: 

RICHARD M. WILLIAMS

Attorneys for Defendants,

KELLY M. LAUGHRIN, CAMPBELL
WARBURTON, FITZSIMMONS, SMITH,
MENDELL & PASTORE

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15
16 [PROPOSED] ORDER

17 Good cause appearing therefore:

18 IT IS HEREBY ORDERED that the Civil Minutes dated October 12, 2007 are
19 hereby clarified to reflect that the parties have not been ordered to mediation, but
20 rather this Court has ordered them to attend a settlement conference before Magistrate
21 Judge Howard Lloyd after resolution of their discovery issues.

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24
25 DATED: 11/8/07

By: 

HON. JEREMY FOGEL JUDGE

UNITED STATES DISTRICT COURT

DEMPSEY & JOHNSON P.C.